

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**PABLO MELENDEZ, JR.,
TDCJ No. 999192,**

Petitioner,

v.

**LORIE DAVIS, Director, Texas
Department of Criminal Justice,
Correctional Institutions Division,**

Respondent.

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Case No. 4:00-cv-190-O

**ORDER SETTING HEARING ON NON-COMPLIANCE WITH ORDER GRANTING
MOTION FOR PRODUCTION OF CLIENT FILES**

Petitioner filed a motion on February 3, 2020 (ECF No. 29), in this capital habeas corpus proceeding seeking an order directing Petitioner's previous counsel to furnish Petitioner's current federal habeas counsel with all files in Petitioner's case. In an Order issued February 6, 2020, this Court granted that motion (ECF No. 32). In a status report filed March 11, 2020 (ECF No. 34), Petitioner's current federal habeas counsel advised that Petitioner's former counsel has failed to comply with this Court's order.

Therefore, the Court sets this case for a hearing on **Wednesday, May 13, 2020 at 2:00 p.m.** in the Fifth Floor Courtroom of the Eldon B. Mahon United States Courthouse, located at 501 W. 10th Street, Fort Worth, Texas. Petitioner's current federal habeas counsel and Petitioner's former federal habeas counsel—attorney Jack Strickland—shall appear in person in open court and address the following issues: (1) whether Petitioner's former federal habeas counsel should be sanctioned for refusing to comply with this Court's Order issued February 6, 2020 (ECF No. 32); (2) whether Petitioner has filed a grievance with responsible State Bar officials complaining about his former counsel's refusal to turn over Petitioner's client file to Petitioner

and, if so, the status of any such grievance; and (3) whether any further action by this court is necessary in this proceeding. Counsel for Petitioner shall ensure attorney Jack Strickland has notice of this Order and Petitioner's counsel and Respondent's counsel shall appear at this hearing.

SO ORDERED on this **8th day of May, 2020**.



Reed O'Connor
UNITED STATES DISTRICT JUDGE